## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

No. 4:14-CR-00016-F-1

No. 4:16-CV-00187-F

MARK ALLEN JENKINS,

Petitioner,

v.

ORDER

UNITED STATES OF AMERICA,

Respondent.

This matter is before the court on Mark Allen Jenkins's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-57]. Having examined Jenkins's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion, within **forty (40)** days of the filing of this order.

Jenkins asserts a challenge based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously qualified for appointed counsel. Therefore, pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015), the Office of the Federal Public Defender is appointed to represent Jenkins to determine if he may qualify for post-conviction relief.

SO ORDERED.

This / day of July, 2016.

JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE